

MANSFIELD TOWNSHIP COMMITTEE MEETING

February 11, 2009

This is a regular meeting of the Mansfield Township Committee. The notice requirements of the law have been satisfied for this meeting by notice to the Star-Gazette and the Express Times of the time, date and location thereof. Notice was also posted on the announcement board located in the Municipal Building.

Roll Call: Mr. Tomaszewski, Mr. Watters, Mr. Baldwin, Ms. Nerbak, Mayor Jewell

Salute to the flag was done by all.

APPROVAL OF THE MINUTES:

Mr. Baldwin made a motion to approve the minutes from the January 28, 2009, which was seconded by Mr. Watters.

Ayes: Mr. Tomaszewski, Mr. Watters, Mr. Baldwin, Ms. Nerbak, Mayor Jewell

Nays: None

Absent: None

Abstain: None

COMMENDATION OF OFFICERS:

Mayor Jewell read the following resolution and presented Ptl. Conklin with the Medal of Honor.

TOWNSHIP OF MANSFIELD
RESOLUTION NO. 2009-35

WHEREAS, Patrolman Jeff Conklin responded to a reported double homicide call on December 26, 2008; and

WHEREAS, after securing the scene along with another officer from Mansfield and officers from Independence, Hackettstown, and Washington Township, Morris County Patrolman Conklin made phone contact with the suspect that he had previous dealings with and spoke at length to convince him to give himself up; and

WHEREAS, the suspect exited the apartment after two hours holding a knife up to himself, Patrolman Conklin spoke to him at length and convinced him to put down the knife and surrender; and

WHEREAS, the Medal of Honor is awarded for an outstanding act in the line of duty with risk involved; and

WHEREAS, the Township of Mansfield wishes to bestow upon Patrolman Conklin the Medal of Honor for the brave actions aforementioned;

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Mansfield, Warren County, New Jersey, that the officer be commended for his outstanding service in helping resolve this incident,

Mr. Baldwin made a motion to approve the passage of Resolution 2009-35, which was seconded by Ms. Nerbak.

Ayes: Mr. Tomaszewski, Mr. Watters, Mr. Baldwin, Ms. Nerbak, Mayor Jewell

Nays: None

Absent: None

Abstain: None

Ms. Hrebenak read the following resolution and Mr. Baldwin presented Ptl. Reilly with the Meritorious Service Award.

TOWNSHIP OF MANSFIELD

RESOLUTION NO. 2009-36

WHEREAS, Patrolman Michael Reilly responded to a reported double homicide call on December 26, 2008; and

WHEREAS, the suspect was threatening his own life and the lives of others and eventually surrendered; and

WHEREAS, Patrolman Reilly assisted in securing the scene along with another officer from Mansfield and officers from Independence, Hackettstown, and Washington Township, Morris County; and

WHEREAS, the Meritorious Service Award is awarded for a highly unusual accomplishment under adverse conditions with some degree of hazard to life and limb to the officer, or where death or injury to a third party is prevented; and

WHEREAS, the Township of Mansfield wishes to bestow upon Patrolman Reilly the Meritorious Service Award for the actions taken by the officer on December 26, 2008;

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Mansfield, Warren County, New Jersey, that the officer be commended for his outstanding service in helping resolve this incident.

Ms. Nerbak made a motion to approve the passage of Resolution 2009-36, which was seconded by Mr. Baldwin.

Ayes: Mr. Tomaszewski, Mr. Watters, Mr. Baldwin, Ms. Nerbak, Mayor Jewell

Nays: None

Absent: None

Abstain: None

The Township Committee thanked the officers for all of their hard work.

PAYMENT OF BILLS:

Ms. Nerbak made a motion to approve the payment of the bills, which was seconded by Mr. Baldwin.

Ayes: Mr. Tomaszewski, Mr. Watters, Mr. Baldwin, Ms. Nerbak, Mayor Jewell

Nays: None

Absent: None

Abstain: None

Ms. Nerbak made a motion to make the first quarter payment to Tri County Fire Company, which was seconded by Mayor Jewell.

Ms. Campbell, Esq. advised that Mr. Kobert, Esq. suggested that the payment not be made until the contract is signed by Tri County.

Mayor Jewell stated that he may advise them, but that they are going to be making the payment.

CFO REPORT:

Mr. Coppola stated that the information has been received from Oxford and the spreadsheet was updated and two different proposals were given to each Committee member.

Mr. Coppola stated that an overtime report was given to each committee member.

CLERKS REPORT:

Ms. Hrebenak stated that she received an application for a Tricky Tray and a 50/50 from Mansfield PTA and that it will be held on April 3, 2009 between the hours of 5-11 pm. Ms. Hrebenak stated that all items are in order for the application.

Ms. Nerbak made a motion to approve the Raffle License for the Mansfield PTA, which was seconded by Mr. Baldwin,

Ayes: Mr. Tomaszewski, Mr. Watters, Mr. Baldwin, Ms. Nerbak, Mayor Jewell

Nays: None

Absent: None

Abstain: None

ENGINEERS REPORT:

Mr. Mace gave a copy of the Bid summary for Washburn Road to each of the Committee members and explained that he spoke with NJDOT about the grant coming in for a much lower amount than the bids received and he explained that they had stated that the Township could apply for discretionary aid.

Mr. Baldwin made a motion for the township to apply for the discretionary aid for the Washburn Road project, which was seconded by Mr. Jewell.

Ayes: Mr. Tomaszewski, Mr. Watters, Mr. Baldwin, Ms. Nerbak, Mayor Jewell

Nays: None

Absent: None

Abstain: None

PUBLIC PORTION:

RESOLUTION:

RESOLUTION NO. 2009-33

APPOINTMENTS TO CERTAIN MUNICIPAL OFFICES AND POSITIONS FOR THE YEAR 2009:

BE IT RESOLVED, that the following person to the following respective municipal offices and/or positions of the Township of Mansfield:

Temporary Police Secretary	JoAnn Fascenelli	\$16.31/hr to April 20, 2009
	Roger Streng, Jr.	\$14/hr to April 20, 2009

Ms. Nerbak made a motion to approve the passage of Resolution 2009-33, which was seconded by Mr. Baldwin.

Ayes: Mr. Tomaszewski, Mr. Watters, Mr. Baldwin, Ms. Nerbak, Mayor Jewell

Nays: None

Absent: None

Abstain: None

RESOLUTION 2009- 34

TONNAGE GRANT APPLICATION (2008)

WHEREAS, The Mandatory Source Separation and Recycling Act, P.L. 1987, c.102, has established a recycling fund from which tonnage grant may be made to municipalities in order to encourage local source separation and recycling programs; and

WHEREAS, It is the intent and the spirit of the Mandatory Source Separation and Recycling Act to use the tonnage grants to develop new municipal recycling programs and to continue and to expand existing programs; and

WHEREAS, The New Jersey Department of Environmental Protection has promulgated recycling regulations to implement the Mandatory Source Separation and Recycling Act; and

WHEREAS, The recycling regulations impose on municipalities certain requirements as a condition for applying for tonnage grants, including but not limited to, making and keeping accurate, verifiable records of materials collected and claimed by the municipality; and

WHEREAS, A resolution authorizing this municipality to apply for the 2008 Recycling Tonnage Grant will memorialize the commitment of this municipality to recycle and to indicate the assent of the Township of Mansfield to the efforts undertaken by the municipality and the requirements contained in the Recycling Act and recycling regulations; and

WHEREAS, Such a resolution should designate the individual authorized to ensure the application is properly completed and timely filed.

NOW THEREFORE BE IT RESOLVED by the Township of Mansfield Committee of the Township of Mansfield that the Township of Mansfield hereby endorses the submission of the recycling tonnage grant application to the New Jersey Department of Environmental Protection and designates JoAnn Fascenelli to ensure that the application is properly filed; and

BE IT FURTHER RESOLVED that the monies received from the recycling tonnage grant be deposited in a dedicated recycling trust fund to be used solely for the purposes of recycling.

Ms. Nerbak made a motion to approve the passage of Resolution 2009-34, which was seconded by Mr. Baldwin.

Ayes: Mr. Tomaszewski, Mr. Watters, Mr. Baldwin, Ms. Nerbak, Mayor Jewell

Nays: None

Absent: None

Abstain: None

ORDINANCE:

Second Reading

Mayor Jewell stated that he would like to make a change to Ordinance 2009-01 to remove any references to the Township Storage Lot.

Mr. Baldwin stated that was only included so that if the township was interested in having a storage facility in the future it was already included.

Mr. Watters agreed with Mr. Jewell that the storage facility is not a good idea for the township.

2009-01 Towing Ordinance

Mr. Jewell made a motion to introduce Ordinance 2009-01 with the changes to delete all references to the Township Storage Facility and requested that the public hearing be advertised for February 25, 2009, which was seconded by Mr. Tomaszewski.

Ayes: Mr. Tomaszewski, Mr. Watters, Mayor Jewell

Nays: Mr. Baldwin, Ms. Nerbak

Absent: None

Abstain: None

Mayor Jewell presented Ordinance 2009-02 for public comment, seeing as there were no comments the public comment period was closed.

ORDINANCE NO. 2009-02					
AN ORDINANCE TO AMEND AN ORDINANCE TO PROVIDE FOR AND DETERMINE THE SALARIES AND COMPENSATION FOR THE OFFICERS AND EMPLOYEES OF THE TOWNSHIP OF MANSFIELD AND THE METHOD OF PAYMENT OF SUCH SALARIES AND COMPENSATION.					
BE IT ORDAINED, by the Township Committee of the Township of Mansfield, County of Warren State of New Jersey as follows:					
SECTION 1. The ranges of salaries per annum of rates of compensation of the following officers and employees of the Township of Mansfield are determined to be as follows:					
Police Secretary (Temporary or Part-time)			\$14	-	\$17
Prosecutor			\$17,392	-	\$23,908
Judge			\$33,817	-	\$45,465
Court Administrator			\$43,479	-	\$62,798
Court Deputy Clerk			\$37,341	-	\$49,830

Mr. Baldwin made a motion to approve the passage of Ordinance 2009-02 and requested that the results be advertised, which was seconded by Mr. Watters.

Ayes: Mr. Tomaszewski, Mr. Watters, Mr. Baldwin, Ms. Nerbak, Mayor Jewell

Nays: None

Absent: None

Abstain: None

COMMITTEE PERSON COMMENTS:

Mayor Jewell made a motion to oppose correspondence #12 which has to do with bills A-3490 which directs the consolidation of several municipalities on a barrier island, and A-3690 which requires "more than 20 hole and donut towns to combine within 10 years and to have a letter sent to our representatives of the state, which was seconded by Mr. Watters.

Ayes: Mr. Tomaszewski, Mr. Watters, Mr. Baldwin, Ms. Nerbak, Mayor Jewell

Nays: None

Absent: None

Abstain: None

Mr. Baldwin stated that as of today the township has purchased 630 tons of salt, and also that the bid specs for the wash bay have been completed and that it will soon be ready to be advertised.

Mr. Tomaszewski had no report.

Mr. Watters stated that he had attended the Environmental Commission meeting and that they were discussing the tree study, and he asked where we are with the tree study.

Ms. Nerbak stated that the committee had agreed to participate in the study.

Ms. Hrebenak stated that the committee had discussed talking to other towns that have participated and that they were then going to make a decision.

Ms. Nerbak and Mr. Watters both agreed that the committee had agreed to participate.

Mr. Watters asked about correspondence #13 with had to do with the Pension Payment Deferral bill Amendment.

Mr. Baldwin stated that the meter on the Police gas pumps has been repaired.

Ms. Nerbak stated that she had attended the Recreation Commission meeting and that the Commission was questioning if there was a location in the municipal building that old equipment can be stored for auction.

Ms. Hrebenak asked what the condition of the equipment was because from what she was told there is nothing of any value and that most of the items were damaged and that there is really no place in the municipal building that the items could be stored.

Ms. Nerbak stated that the parents group will be purchasing a shed for use with the football equipment and stated that they will be contacting Brent to go over what else needed to be done as far as permits.

Ms. Nerbak stated that the Recreation Commission will be holding a Community Meeting at the Mansfield Township Elementary School on February 23 at 7:30 to discuss the status of the park project and asked if this could be posted on the webpage.

Ms. Nerbak also stated that the Recreation Commission is anticipating a June ribbon cutting for the walking path and also that the Recreation Commission is extremely satisfied with the job that Public Works has been doing for them.

Ms. Nerbak made a motion to send a letter of opposition in reference correspondence #13 item II which has to do with Bills A-3481 and S-1336 Law officers appeal of suspension to our state representatives, which was seconded by Mayor Jewell.

Ayes: Mr. Tomaszewski, Mr. Watters, Mr. Baldwin, Ms. Nerbak, Mayor Jewell

Nays: None

Absent: None

Abstain: None

Mr. Watters made a motion to take a five minute break at 8:25 pm and then proceed into Executive session, which was seconded by Mr. Jewell.

A RESOLUTION PROVIDING FOR A MEETING NOT OPEN TO THE PUBLIC IN ACCORDANCE WITH THE PROVISIONS OF THE NEW JERSEY OPEN PUBLIC MEETINGS ACT, N.J.S.A. 10:4-12.

WHEREAS, the Township Committee of the Township of Mansfield is subject to certain requirements of the Open Public Meetings Act. N.J.S.A. 10:4-6, et seq. and

WHEREAS, the Open Public Meetings Act, N.J.S.A. 10:4-12, provides that an Executive Session, not open to the public, may be held for certain specified purposes when authorized by Resolution, and

WHEREAS, it is necessary for the Township Committee of the Township of Mansfield to discuss in a session not open to the public certain matters relating to the item or items authorized by N.J.S.A. 10:4-12b and designated below:

- (8) Matters Relating to the Employment Relationship: Any matter involving the employment, appointment, termination of employment, terms and conditions of employment, evaluation of the performance of, promotion, or disciplining of any specific prospective public officer or employee or current public officer or employee employed or appointed by the public body, unless all the individual employees or appointees whose rights could be adversely affected request in writing that such matter or matters be discussed at a public meeting.

NOW THEREFORE BE IT RESOLVED by the Township Committee of the Township of Mansfield, assembled in public session on February 20, 2009, that an Executive Session closed to the public shall be held on February 20, 2009 at 8:33 PM in the Mansfield Township Municipal Building, for the discussion of matters relating to the specific items designated above.

It is anticipated that the deliberations conducted in the closed session may be disclosed to the public upon the determination of the Township Committee that the public interest will no longer be served by such confidentiality.

Return from Executive Session at 8:53pm.

Roll Call: Mr. Tomaszewski, Mr. Watters, Mr. Baldwin, Ms. Nerbak, Mayor Jewell

Mr. Baldwin made a motion to adjourn at 8:54pm, which was carried by all.